

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

ALEX SANTANA,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 2:04-CV-370-PRC
)	
JO ANNE BARNHART,)	
COMMISSIONER OF)	
SOCIAL SECURITY,)	
)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

This matter is before the Court on a Joint Stipulation to Remand [DE 18], filed by the Plaintiff, Alex Santana, and the Defendant, Jo Anne B. Barnhart, the Commissioner for Social Security, on April 21, 2005. All of the parties have consented to have this case assigned to a United States Magistrate Judge to conduct all further proceedings and to order the entry of a final judgment in this case. Thus, this Court has jurisdiction to decide this case pursuant to 28 U.S.C. § 636(c) and 42 U.S.C. § 405(g).

Having considered the motion, the Court now **GRANTS** the parties' Joint Stipulation to Remand [DE 18]. The Court **ORDERS** that the Commissioner's decision should be **REVERSED**, and this case be **REMANDED** to the Commissioner, pursuant to sentence four of the Social Security Act, 42 U.S.C. § 405(g), for further administrative proceedings according to the following terms.

Upon receipt of the Court's order, the ALJ will be instructed to articulate the period of time the Plaintiff requires before needing to change position (sit or stand); to seek testimony from a vocational expert that corresponds to the overall limitations in the record; and to resolve any conflicts between the occupational evidence provided by the vocational expert and information in

the Dictionary of Occupational Titles and the Selected Characteristics of Occupations.

The Court **DIRECTS** the Clerk of the Court to enter a separate judgment pursuant to Rule 58 of the Federal Rules of Procedure. *See Shalala*, 509 U.S. at 297.

SO ORDERED this 22nd day of April, 2005.

s/ Paul R. Cherry
MAGISTRATE JUDGE PAUL R. CHERRY
UNITED STATES DISTRICT COURT

cc: All counsel of record